

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ALAN IMHOF,	)	
	)	
Plaintiff,	)	8:05CV379
	)	
v.	)	
	)	
CARGILL, INCORPORATED, a	)	
Delaware Corporation, and	)	
GETHMANN CONSTRUCTION	)	
COMPANY, INC.,	)	
	)	
Defendants.	)	
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RUSSELL KATT,	)	
	)	
Plaintiff,	)	8:05CV380
	)	
v.	)	
	)	
CARGILL, INCORPORATED, a	)	ORDER
Delaware Corporation, and	)	
GETHMANN CONSTRUCTION	)	
COMPANY, INC.,	)	
	)	
Defendants.	)	
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This matter is before the Court on the issue of whether the cases should be consolidated for trial, which the Court suggested during a planning conference held on March 6, 2007. At that time, the Court directed the parties to submit briefs with respect to whether or not the cases should be consolidated. Both parties have responded, and the Court has considered the respective briefs of the plaintiffs and the defendants in this case (Filing Nos. 64, 65 and 66 in 8:05CV379; Filing Nos. 63, 64 and 65 in 8:05CV380).

All parties agree that the cases should be consolidated for purposes of determining liability. However, the defendants object to consolidation for trial on damages. Having reviewed the respective showings, the Court is satisfied that in the interest of judicial economy, these cases should be consolidated for trial for both liability and damage issues. The Court will be able to direct the jury's attention to the appropriate damage evidence by each respective plaintiff which will avoid the concern of defendants that they are prejudiced by this action. For these reasons, the Court believes that consolidation is appropriate in this matter. Accordingly,

IT IS ORDERED that these actions are consolidated for discovery and trial of both liability and damages.

DATED this 16th day of April, 2007.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court